

MAR 05 2008

U.S. Patent Application Serial No. 10/535,193
Reply to Office Action dated December 11, 2007

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended): A contents reproducing apparatus having a contents receiving function and a telephone function, comprising:
 - a call detecting means for detecting reception of a calling instruction of a telephone;
 - a first determining means for determining whether or not a pay content is being received now when said call detecting means detects the reception of said calling instruction;
 - a mode switching means for switching to a telephone mode when it is determined that said pay content is not being received by said first determining means; and
 - a disabling means for disabling a mode switch by said mode switching means when it is determined that said pay content is being received by said first determining means;

wherein said pay content receiving function is an Internet radio receiving function, and said telephone function is an IP telephone function.

2. (currently amended): [[A]] The contents reproducing apparatus according to claim 1, wherein said disabling means includes a busy processing means to execute a busy process for informing an opponent party of being under communication when it is determined that said pay content is being received by said first determining means.

3. (currently amended): [[A]] The contents reproducing apparatus according to claim 5, wherein said answering telephone processing means includes a returning means for returning a record guide message to the opponent party, and a recording means for recording a sending speech of said opponent party in response to said record guide message.

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4. (currently amended): ~~[[A]]~~ The contents reproducing apparatus according to claim 1, further comprising a reproducing means for reproducing in a real time manner the pay content being received.

5. (currently amended): ~~[[A]]~~ The contents reproducing apparatus according to claim 1, wherein said disabling means includes a second determining means for determining whether or not an answering telephone function is set when it is determined that said pay content is being received by said first determining means, and a answering telephone processing means for executing an answering telephone process when it is determined that said answering telephone function is set by said second determining means.

6. (currently amended): ~~[[A]]~~ The contents reproducing apparatus according to claim 3, wherein said disabling means includes an uncommunicable means for executing an uncommunicable process to inform the opponent party of being in an uncommunicable state when it is determined that said answering telephone function is not set by said second determining means.

7. (canceled)

8. (new): The contents reproducing apparatus according to claim 1, wherein the pay content comprises a pay program of a charging system of charging depending on the number of musics of received music content or a receiving time period of the pay program.